



June 13, 2018

Ms. Melanie Hill
Executive Director
Health Services and Development Agency
Andrew Jackson Building, 9th Floor
502 Deadrick Street
Nashville, TN 37243

Re: Maxim Healthcare CON Request
CN-1803-013

Dear Ms. Hill,

I am the administrator of Home Healthcare of Middle Tennessee, LLC d/b/a All Heart Home Care. All Heart Home Care services 14 counties in and around Middle Tennessee with offices in four locations. I have reviewed the request for Maxim to increase the coverage area of their CON and I oppose it because (1) it is not needed, (2) it is not economically feasible, (3) diminishes the ability to provide quality healthcare, (4) and does not contribute to the orderly development of the health care system.

All Heart Home care provides skilled, as well as non-skilled, services in four of the counties in which Maxim is requesting a CON. Those counties are Cannon, DeKalb, Hickman and Maury. We have an office located in Columbia, TN that services Maury and Hickman County. We also have an office located in Murfreesboro that services Cannon and DeKalb County. There are adequate Home Health Agency's servicing those areas. There is no need for another agency.

Due to the nationwide shortage of nurses, and specifically in Tennessee, it would decrease the ability to provide quality care and sufficient staffing for these areas if more CONs are granted. This further drives the cost of employment upward and ultimately the cost of healthcare for our area. This makes the economic feasibility of the CON more difficult.

For these, and other reasons that will be further addressed by our attorney, All Heart Home Care respectfully opposes Maxim's request.

Respectfully,



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Ms. Melanie Hill, Executive Director
Health Services and Development Agency
Andrew Jackson Building, 9th Floor
502 Deaderick Street
Nashville, TN 37243

RE: Maxim Healthcare Services, CN1803-013 **OPPOSITION LETTER**

Dear Ms. Hill:

We are aware of the intent of Maxim Healthcare Services (Maxim) to add seven additional counties to its existing "unrestricted, licensed home health agency" to Bedford, Cannon, Coffee, DeKalb, Hickman, Marshall and Maury Counties. **Because the home health care need formula applied in the State of Tennessee does not show a need for the aforementioned application, approval of said application would not only duplicate existing services, but also adversely impact the existing home health care delivery system. Therefore, I am writing this letter in opposition to the referenced project pursuant to T.C.A., Section 68-11-1609(g) (1).**

Ms. Hill, as an existing provider in the target market, the project is not consistent with the State's need formula which shows excess capacity of (6,000) in the Maxim service area, as projected into the future to 2020 by the Department of Health, Division of Health Statistics. Consequently, the proposed additional counties would not support the contribution to orderly development and will adversely impact other existing providers if approved. We contend that the project fails to meet the three criteria and standards required for CON approval.

In addition, the applicant projects a census mix of 90% TennCare yet the applicant offers no supporting documentation from TennCare for the need for the proposed project. In fact, given the number of agencies that serve this market area, the applicant cannot demonstrate need for another agency. The applicant is certified for Medicare participation, but states it does not intend to serve and compete with other homecare agencies for Medicare patients. However, in order to meet the TennCare position that homecare agencies must be Medicare certified to provide Medicaid, that strategy is problematic as Medicare certification cannot be maintained if Medicare patients are not seen and billed for on an annual basis.

The addition of another agency will not only duplicate and drive up the cost for services already provided, but it will also adversely deplete the existing nursing pool of trained nursing professionals. A redistribution of patients to an agency that is not needed further dilutes the patient pool, the staffing pool and consequently does not promote the orderly development of health care.

In summary, I am opposed to this CON and ask that it not be approved. There are already more than adequate existing providers delivering high quality home health services to populations of all race and payor source. If you need any additional information please do not hesitate to call me.

Sincerely,

NHC/OP, L.P. d/b/a NHC HomeCare, Columbia & Murfreesboro

A handwritten signature in black ink that reads "Pamela Owens". The signature is fluid and cursive, with the first name "Pamela" and last name "Owens" clearly distinguishable.

Pamela Owens, RN MSN MBA
Director, HomeCare Services

Cc: Mr. John Wellborn, Consultant
4219 Hillsboro Road, Suite 203
Nashville, TN 37215